

After beginning his career working in a coal mine, Mr. Palumbo went on to become the president, founder, and owner of a number of coal mining companies. He has served on the Board of the Central Pennsylvania Coal Producers Association.

Mr. Palumbo has very generously shared the rewards of his business success with others. He has been a generous benefactor of a number of colleges and hospitals.

He has also shared his knowledge and experience with others. He has given of his time by serving on a number of boards, including the boards of the Boy Scouts of America and the municipal authority of St. Marys, PA. He has also served as a trustee of the Three Rivers Bank and Trust Co. of Pittsburgh and the Mayo Clinic. I am enclosing for the RECORD a resolution adopted by the Board of Trustees of LaRoche College, which presents in greater detail the reasons for which the board conferred this honorary degree on Mr. Palumbo.

In short, Mr. Palumbo has been an outstanding role model—one that young people today would do well to emulate. I want to congratulate Antonio J. Palumbo on receiving the Honorary Degree of Doctor of Business Administration from LaRoche College, and I want to wish him a happy 90th birthday.

LAROCHE COLLEGE BOARD OF TRUSTEES COMMEMORATES THE OUTSTANDING CONTRIBUTIONS OF ANTONIO J. PALUMBO—MAY 11, 1996

"It is my pleasure to introduce our next honorary degree recipient, Antonio J. Palumbo. Mr. Palumbo began his career working on his knees in the depths of a coal mine. He went on to become the owner of the Nation's largest privately held coal companies. Throughout his entire life, Mr. Palumbo has adhered to four qualities that he believes are most important: hard work, loyalty, integrity, and generosity. He and his wife Janet have done many charitable deeds throughout their lifetimes and have helped many people—from assisting hospitals in caring for seriously ill children, to working with Boy Scouts, to negotiating wages with the United Mine Workers Union. Mr. Palumbo serves as a role model for all people of all ages."

*Whereas:* Antonio J. Palumbo, a national leader of the coal industry, past president and owner of Underhill Coal Mining Company, which he founded in 1932, founder of the New Shawmut Mining Company, and owner of Kersey Mining Company, Shawmut Mining Company, Shawmut Realty Company, and Byrnedale Coal Company; and

*Whereas:* Antonio J. Palumbo has demonstrated a lifelong commitment not only to business, but to people of all ages through his work as a board member of the Boy Scouts of America, a member of the municipal authority of St. Marys, PA, a member of the Board of the Central Pennsylvania Coal Producers Association, a trustee of the Three Rivers Bank and Trust Company of Pittsburgh, a trustee of the Mayo Clinic; and

*Whereas:* Antonio J. Palumbo, a self-made entrepreneur, is well-known as a very generous benefactor to hospitals and colleges, and has served the community with wisdom and honesty; and, having achieved these things to an extraordinary degree, it is unanimously *Resolved* That the Board of Trustees of LaRoche College confer upon Antonio J. Palumbo the Honorary Degree of Doctor of Business Administration.

## THIRD-COUNTRY ARMS DELIVERIES TO BOSNIA AND CROATIA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1996

Mr. HAMILTON. Mr. Speaker, last month I wrote to Secretary of State Christopher requesting the answers to several questions concerning recent press stories regarding United States policy on arms deliveries to Bosnia and Croatia by third countries during 1994 and 1995.

Several committees of the Congress have already held closed and open hearings on this issue, including the Committee on International Relations on May 30. The House of Representatives has also voted to establish a special select subcommittee of the Committee on International Relations to investigate this issue.

I received the answers posed in this letter in two parts, one dated April 24 and the other May 20. I would like to insert copies of both letters in the RECORD in an effort to keep my colleagues fully informed on the administration's position on this issue.

U.S. DEPARTMENT OF STATE  
Washington, DC, April 24, 1996.

Hon. LEE H. HAMILTON,

House of Representatives.

DEAR MR. HAMILTON: Thank you for your letter of April 11 to Secretary Christopher concerning third-country arms deliveries to Bosnia and Croatia during 1994 and 1995. You pose a number of detailed questions which will take us some time to research. Meanwhile, we welcome this opportunity to provide you with an interim reply to some of the points you raise.

In the spring of 1994, the Administration had a difficult decision to make when approached by Croatia on the question of allowing third-country weapons to pass through Croatia to the Bosnian Muslims. If we had objected to potential arms shipments from Iran, the Muslim-Croat Federation might have been destroyed in its infancy and a bad situation for the Bosnians might have worsened. The approach we took—of neither objecting to nor supporting the arms transfers—sought to balance our concern about the spread of Iranian influence against the adverse military situation facing the Federal. In the process, we did our best to serve the cause of peace in Bosnia. The arms deliveries helped sustain the Muslim-Croat Federation and reduced the military imbalance without the certainly risks and pitfalls of the alternative courses of action.

Many in the Congress urged at the time that the United States lift the arms embargo unilaterally. The Administration opposed this policy on a number of grounds. We would have been put in the position of arming the Bosnians in the face of direct opposition from our own allies, triggering the biggest rift in NATO since its founding. In addition, UNPROFOR would almost certainly have collapsed, in all likelihood requiring U.S. troops to be called in to protect withdrawing UNPROFOR soldiers. And if the Serbs had gone on the offensive before the Bosnians were armed, a very real possibility, the United States would have come under pressure to intervene to prevent a Bosnian military defeat.

Unilateral lift would also have required the United States to violate binding UNSC resolutions. UN Security Council Resolution 713, adopted in 1991 with the previous Administration's firm support, required each member

state to cease deliveries of arms and military equipment originating from its territory, and the United States met this important international obligation. Resolution 713 did not require the United States to stop third-country arms shipments to Bosnia. An enforcement mechanism was authorized in November 1992 via NSC Resolution 787, which called on member states acting individually or through regional arrangements to halt all inward and outward maritime shipping in order to inspect cargos and certify destinations. Under these resolutions, the United States placed a ban on U.S. arms sales to the states of the former Yugoslavia and participated in multilateral enforcement efforts both on sea (via NATO's operation SHARP GUARD) and on land (via multilateral monitoring under the auspices of the International Conference on the Former Yugoslavia).

After the Nunn-Mitchell legislation went into effect in November 1994 prohibiting the use of appropriated funds for the purpose of participation in, support for, or assistance to the enforcement of the arms embargo against Bosnia and Herzegovina, the United States modified the rule under which its forces in SHARP GUARD operated. For example, U.S. ships with SHARP GUARD no longer diverted or delayed vessels that contained arms or other cargo for the purpose of enforcing the arms embargo against Bosnia and Herzegovina.

The enactment of Nunn-Mitchell had little impact on the enforcement of other aspects of the arms and economic embargo on other parts of the former Yugoslavia. U.S. ships with SHARP GUARD continued enforcing other UN Security Council Resolutions, such as the economic embargo on Serbia and Montenegro, and tracked vessels containing arms for Bosnia even after maritime inspections had been concluded in order to ensure that destination and cargo dispensation claims had been met. The overall efficiency of the SHARP GUARD operation may have decreased somewhat after Nunn-Mitchell, however, because of limitations on the sharing of information by U.S. ships with other SHARP GUARD participants on whether cargos had been cleared because they were free of prohibited items or because they contained weapons bound only for Bosnia.

Some in Congress have raised the question of whether Ambassador Galbraith's response to President Tudjman in 1994 that he had "no instructions" on whether the Croatian government should allow an arms shipment to pass through its territory to Bosnia constituted U.S. covert action. The answer is that it did not. Under the law, covert action is defined as "an activity or activities of the United States Government to influence political, economic, or military conditions abroad, while it is intended that the role of the United States Government will not be apparent or acknowledged publicly." The definition does not include, among other things, traditional diplomatic activities.

The legislative history makes clear that the U.S. will not be deemed to be carrying out a covert action through third parties unless the third parties are receiving direction and assistance from U.S. personnel directly involved in carrying out an activity that otherwise meets the definition of covert action. The legislative history also makes clear that the statutory definition of covert action does not include within its scope requests to third countries to conduct covert action. In 1991, President Bush vetoed legislation that would have included such requests within the definition of covert action. The legislation was subsequently enacted without this language.

Thank you again for writing. We hope this information is helpful to you. We are working to gather the other information you have requested and will provide it via a separate letter shortly. Meanwhile, please do not hesitate to contact me directly if we can be of other assistance.

Sincerely,

BARBARA LARKIN,  
Acting Assistant Secretary,  
Legislative Affairs.

U.S. DEPARTMENT OF STATE,  
Washington, DC, May 20, 1996.

Hon. Lee H. Hamilton,  
House of Representatives.

DEAR MR. HAMILTON: I am writing to follow up on my letter of April 24, in which we provided an interim reply to some of the issues raised in your April 11 letter to Secretary Christopher on third-country arms deliveries to Bosnia and Croatia in 1994 and 1995. As you will recall, our earlier letter focused on U.S. legal obligations under various UN Security Council Resolutions, sanctions enforcement efforts, as well as whether U.S. policies at the time constituted covert action. We welcome this opportunity to answer your remaining questions on what motivated the 1994 U.S. decision to take no position in response to the Croatian Government's request for our views on its serving as the channel for third-country arms shipments to Bosnia.

The following are our responses to your remaining questions:

Did the United States during 1994 make a decision to change policy on enforcing the embargo and on the delivery of arms to Bosnia by third parties through Croatia?

If there was such a change of policy, what was it? Was the decision to change policy on such deliveries a decision not to object to such deliveries, to acquiesce in the deliveries, or to support the deliveries?

Was such a policy consistent with U.S. policy since September 1991 to enforce the arms embargo?

The Bush Administration voted for UN Security Council Resolution 713 in September 1991 and later resolutions imposing an arms embargo on all the states of the former Yugoslavia. The hope was that containing the flow of arms into the region could reduce the level of violence and prevent the expansion of war from Croatia to Bosnia. Thus, the Bush Administration's policy was to abide by the embargo and to support its enforcement, including on some occasions making diplomatic representations to other countries when violations became known.

By the time the Clinton Administration took office, it was clear that the arms embargo had not only failed to prevent the spread of the war to Bosnia, but also frozen the Bosnian Government into a militarily inferior position (since Serbia and rebel Serb forces in Bosnia and Croatia had retained the bulk of the armaments of the former Yugoslav National Army). Therefore, from the time it entered office, this Administration sought to secure a multilateral lift of the arms embargo against Bosnia as a means of increasing pressure on the Serbs to accept a political settlement.

Although it remained Administration policy to abide by the arms embargo, it was not our policy in 1993 and 1994 to take active steps—either military or diplomatic—to enforce the arms embargo with respect to military shipments to Bosnia by third countries. Our efforts to enforce the arms embargo were confined to participation in NATO's operation SHARP GUARD in the Adriatic Sea (with support from operation DENY FLIGHT). While UN Security Council resolutions called upon states to take enforcement actions against third countries, such actions

were not required by those resolutions. The overall focus of our sanctions enforcement effort was on maintaining economic sanctions against Serbia-Montenegro through operation SHARP GUARD, through monitoring and enforcement efforts along Serbia's borders, and through active diplomatic efforts with front-line states and other potential sanctions violators.

In part as a consequence of the arms embargo, by early 1994 the parts of Bosnia remaining in government hands were in danger of collapse: Sarejevo was surrounded, Gorazde was under siege, the other eastern enclaves were highly vulnerable, and water, electricity, and humanitarian aid deliveries were threatened.

The political and military dynamic in Bosnia changed in March 1994. In that month, as a result of active U.S. mediation by our Special Envoy, Ambassador Charles Redman, the leaders of Bosnia, Croatia, and the Bosnian Croat community signed agreements ending their military conflict and setting up a bi-communal Federation between Bosnia's Muslims and ethnic Croats. The newly born Federation immediately received strong U.S. diplomatic support, and deservedly so; its founding principles reflected pluralistic Western values and the cease-fire it engendered helped free up government forces to defend their country against the Serbs and, over time, altered the military balance.

When President Tudjman of Croatia approached Ambassador Galbraith in Zagreb in April 1994 to elicit U.S. views on allowing third-country arms shipments to Bosnia via Croatia, we determined that a negative response could have led to the collapse of the Federation and a new deterioration of the Bosnian Government's military position. Instead, we decided that the best course was neither to object to nor approve of arms transfers to Bosnia through Croatia. This was consistent with our practice in the preceding months not to take active steps to prevent third-country arms shipments. At the same time, we did not believe it would have been appropriate to endorse actions contrary to UN Security Council resolutions. Thus we told Ambassador Galbraith to state that he had "no instructions" on the matter.

Our decision eventually bore fruit. By sustaining the Federation and eroding the Serbs' military advantage, it paved the way for the American diplomacy, backed by NATO air power, that produced the peace agreement at Dayton. Our decision allowed us both to observe our legal obligations under UN Security Council Resolution 713 and to promote the achievement of peace.

How did the Administration assess the implications of such a policy change on international adherence to UN Security Council Resolution 713 and U.S. efforts to get friends and allies to stop trade, economic dealings, and investment ties with Iran?

Iran's entry into the Bosnian conflict occurred long before the April 1994 decision. Iranian efforts to gain influence in Bosnia date back to the 1980s. They gained momentum in 1991-92, in the early stages of the war, when the international community proved unable to confront Serb aggression. During this period, despite the UN arms embargo, Iran established itself as Bosnia's principal arms supplier and dispatched hundreds of Revolutionary Guard and other personnel to assist in training Bosnian Government forces. Iranian military aid was part of a multi-pronged campaign of support that also included intelligence cooperation along with economic and humanitarian assistance. We have no evidence that Iran's presence in Bosnia increased significantly after April 1994. It is also worth noting that, through the Dayton Accords and subsequent diplomacy, we have reduced Iranian military in-

fluence in Bosnia to its lowest levels in years.

The April 1994 decision had no discernable impact on U.S. efforts to gain international support for the use of economic pressure to alter Iran's objectionable behavior, including its support for terrorism and pursuit of weapons of mass destruction. Prior to 1994, our Allies had generally been unresponsive to our requests that they not provide Iran with economic benefits such as new official credits and loan guarantees. In the past year, however, following the President's decision to impose a trade and investment embargo against Iran, most European countries have substantially reduced the pace and volume of economic activity with Iran. We continue to urge European governments to join our efforts to pressure Iran economically. Based on our ongoing consultations, including the April 19 meeting in Rome of the U.S.-EU-Canada Working Group on Iran, we have concluded that the April 1994 decision has not significantly affected our Iran diplomacy.

Did the United States have discussions regarding these deliveries only with the Croatian and Bosnian authorities, or did the United States also have discussions directly with third countries supplying or financing these arms deliveries?

The United States had no communications with Iran regarding arms for Bosnia, nor are we aware of any occasion on which U.S. officials, in any discussions with other countries, requested them to transfer arms to Bosnia or Croatia.

What countries besides Iran were involved in the financing and delivery of arms to Bosnia? Were Malaysia, Pakistan, Saudi Arabia, or Egypt involved?

We have provided classified documents which address this question to the Senate Intelligence Committee and we will provide these same materials to appropriate Congressional committees that request them.

If there was a change of policy, why was there a change of policy, and who was informed of it? Was Congress informed, were Allies informed, and were all appropriate officials of the United States informed about a change in policy that affected stated, public policy? If not, why not?

In order to succeed, the thrust of our diplomatic activity both before and after April 1994—adhering to our obligations under UN resolutions, maintaining the cohesion of the Western Alliance, while not taking action to prevent the Bosnians from receiving weapons—required great discretion. That is why the Administration kept the April 1994 discussions with the Croatian government closely held within its own ranks.

It should be noted, however, that the Congressional leadership and relevant committees were made aware of the existence of Iranian arms shipments both from Administration-provided intelligence briefings and press reports. Furthermore, the U.S. decision not to object to such shipments was not inconsistent with the will of Congress as expressed in a June 1994 vote in the House of Representatives to lift the arms embargo unilaterally. In October 1994, the full Congress voted to cut off funds for U.S. enforcement of the arms embargo. No exception for Iranian arms was contained in the legislation, nor was any such exception proposed during the debate.

I trust this information will be helpful to you. The Administration is cooperating fully with the current Congressional investigations and welcomes opportunities like this one to explain its policy decisions. Secretary Christopher and I value greatly the close cooperation on Bosnia policy that we have enjoyed with you and your staff over the last three-plus years and we look forward to a

continuing productive relationship in this regard.

Sincerely,

BARBARA LARKIN,  
Acting Assistant Secretary,  
Legislative Affairs.

IN HONOR OF CASA OTONAL ON  
ITS 20TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 1996*

Ms. DeLAURO. Mr. Speaker, on Tuesday, June 11, 1996, Casa Otonal will celebrate its 20th anniversary by honoring four of its founders. It is with great pleasure that I rise today to salute Casa Otonal and congratulate all those who have made this amazing organization possible.

The original mission of Casa Otonal was to offer inner city youth an alternative to the streets by providing educational and other activities. It has since expanded its mission and now provides a very successful senior center, a housing complex and a community center, Casa Linda.

Casa Otonal begun in 1974 at St. John the Evangelist Church. While still in the space at St. John's, Casa Otonal was designated a senior center and a nutrition center. This began Casa Otonal's mission of enabling senior citizens, particularly Hispanics, to maintain cultural ties and personal dignity and to remain self-sufficient. The Casa Otonal program continued to expand and identified one of the most important needs of the elderly, housing. In July 1986, an elderly housing complex with 105 units was completed. The result of this expansion is two distinct projects, the senior center and residential facility. The senior center provides social and recreational activities, the nutrition program and continues to reach out to all the elderly in the city of New Haven. Other programs for seniors include adult education, health services, transportation, cultural programs, and workshops.

The Casa Linda community center offers a unique opportunity for the elderly and young people to interact and enjoy and learn from each other. Casa Linda opened in 1992 with the philosophy that the elderly could teach children past values, skills, and traditions. The center has been incredibly successful in encouraging this coming together of the generations.

I am so pleased to join Casa Otonal in honoring its founders. Linda Kantor and Jim Vlock were instrumental in obtaining the Housing and Urban Development grant for Casa Otonal and saw the project through to its completion. Linda, in particular, has put her heart and soul, and a great deal of time and energy into Casa Otonal and Casa Linda. Using her own money and some private contributions, Linda purchased the property across from Casa Otonal for the construction of Casa Linda. She renovated the building with the help of volunteers.

Casa Otonal is also honoring cofounder Joseph Odell and Patricia McCann Vissepo. Joseph, who spent 18 years working in urban ministry, was vital to the conception of the idea of a residential housing complex for Hispanic elderly. Patricia joined the board of Casa Otonal in 1984 as the complex was

being constructed. She became board president in 1987 and in 1993 the board invited her to become the executive director of Casa Otonal.

I am delighted to be able to offer my congratulations to all those involved with Casa Otonal and Casa Linda on the 20th anniversary. Both organizations are vital to the Hispanic community and foster a sense of family, history, culture, and tradition. The work of Casa Otonal and Casa Linda make the city of New Haven a richer, better place to live.

A TRIBUTE TO OSSIE DAVIS AND  
THE FOURTH ANNUAL NATIONAL  
MEMORIAL DAY CONCERT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 1996*

Mr. RANGEL. Mr. Speaker I rise today to recognize one of our Nation's most celebrated and talented actors, writers, and directors and a true friend of mine, Ossie Davis who recently hosted the fourth annual National Memorial Day Concert on the West Lawn of the Capitol in Washington, DC.

Mr. Davis, a veteran who was a surgical technician in North Africa during World War II for years avoided Memorial Day celebrations. This year's event televised on PBS marked a significant transformation in his life.

As a veteran of the Korean War and ardent supporter of our Nation's veterans I want to acknowledge the contributions made by the veterans of this Nation and I can think of no one more qualified to host the fourth annual National Memorial Day concert than the incomparable Ossie Davis.

For the edification of my colleagues in the House, I would like to share the article written by James Zumwalt in Parade Magazine on May 26, 1996 titled "We Should Pay Tribute."

[From Parade Magazine, May 26, 1996]

WE SHOULD PAY TRIBUTE

(By James Zumwalt)

Tonight at 8 p.m. EDT, Ossie Davis will be the host for the fourth year of the National Memorial Day Concert, held on the West Lawn of the Capitol in Washington, D.C.

The PBS telecast (check local TV listings) will include performances by the National Symphony Orchestra, as well as dramatic readings and archival footage from various wars in American history. A special segment will be dedicated to the women who worked statewide in World War II. And tributes will be made to Desert Storm veterans and to American soldiers now serving in Bosnia.

Davis, now 78, served as a surgical technician in North Africa in World War II. Yet, until a few years ago, he had never participated in any Memorial Day celebrations. "I did not want to get involved in anything that glorified war," he told me.

While in Africa, Davis witnessed not only the horrors of battle, he said, but also pronounced racism among fellow American troops. He recalled watching a white soldier choose to die rather than accept care from the only medics available, because they were black. And he watched troop trains in Africa—returning U.S. servicemen home after the war—in which blacks were segregated while whites shared cars with German prisoners who, he said, were granted more dignity than the African-American troops.

"I felt betrayed," Davis recalled. I had come to feel that I had been not only a pa-

triot but a fool. I left the Army very depressed."

On returning home to Georgia, Davis turned briefly to alcohol. But in 1946 he got two lucky breaks: He landed a part in a Broadway play, and he met his future wife, the actress Ruby Dee. They have been married for 47 years. Davis went on to distinguish himself not only as an actor but also as a producer, writer and director. Recently, he appeared in *The Client* and *Grumpy Old Men*.

Through the years, Davis' anti-war sentiments remained strong. Why, then, did he agree to be the host of these concerts? "I realized that no matter what I thought of war, we should pay tribute to those both living and dead who sacrificed," he explained.

"The military also has made significant strides," he went on. "Colin Powell who will speak at the concert was no accident—he was an affirmation of what has changed. One of the things I'm proudest of about America is that once she got into it, she came up with a color-blind Army."

Davis also believes that the ignobility to warfare shouldn't lessen the tribute we pay to those who served. "They gave what Lincoln called 'the last full measure of devotion,'" he said. "They did what was required to defend something greater than they were."

HONORING THE JACKSON COUNTY  
RESCUE SQUAD

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 1996*

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the Jackson County Rescue Squad. These brave, civic-minded people give freely of their time so that should disaster strike, we know that our friends and neighbors are there to help.

Few realize the depth of training and hard work that goes into being a member of the rescue squad. Rescue squad members undergo a training series over a 4- to 6-month period which includes instruction in Cardiopulmonary Resuscitation [CPR], vehicle extrication, emergency driving, and rescue orientation. In addition to this training, rescue squad members also meet monthly to address business concerns as well as hear guest speakers.

Rescue squad members are volunteers. They receive no pay for what they do. What also makes their services especially outstanding is that the organizations themselves receive no funding. They receive no funding from the city, the county, or the Federal Government.

Rescue squads are funded in the same spirit of community volunteerism which moves them to serve. Family, friends, and neighbors pitch in at bake sales, road blocks, and fish fries to help those who sacrifice their time for the benefit of the whole community.

Committing such an amount of spare time and energy to a job so emotionally and physically taxing requires a sense of devotion and duty for which we are all grateful.